

**MINUTES
PURCELLVILLE TOWN COUNCIL
REGULAR MEETING/COMMITTEE OF THE WHOLE WORKSESSION
SEPTEMBER 23, 2014**

The worksession meeting of the Purcellville Town Council was convened at 7:00 PM with the following attendance:

PRESENT: Kwasi Fraser, Mayor
Joan Lehr, Council member
Patrick McConville, Council member
Ben Packard, Council member
Doug McCollum, Council member
Karen Jimmerson, Council member

ABSENT: John Nave, Vice Mayor

STAFF: Robert W. Lohr, Jr., Town Manager
Patrick Childs, Assistant Town Manager
Sally Hankins, Town Attorney
Alex Vanegas, Director of Public Works (arrived at 7:26 p.m.)
Hooper McCann, Executive Assistant to Town Manager
Patrick Sullivan, Director of Community Development
Lt. Jim Rust, Purcellville Police Dept.
Sheryl McIlvaine, Operations Assistant

**CALL TO ORDER OF REGULAR MEETING/COMMITTEE OF THE WHOLE
WORKSESSION:**

Mayor Fraser called the regular meeting/committee of the whole worksession to order at 7:00 PM.

AGENDA AMENDMENTS:

Rob Lohr stated that on the Supplemental Agenda there is removal of an item and the addition of two items that were discussed at the Strategic Planning Session.

Council member Lehr made a motion to add the three items plus the approval of the minutes.

Motion:	Council member Lehr
Second:	Council member Packard
Carried:	6-0-1 Absent

PRESENTATION

Mayor Fraser introduced Douglas Brammer, Manager of Verizon Government Relations. Mayor Fraser announced that he is an employee of Verizon and requested that Council member Jimmerson take the chair. Council member McCollum stated for the record that he is a former employee of Bell Atlantic prior to the merger with GTE.

Mr. Brammer provided a brief detailed overview of Verizon and their position in Loudoun County. He stated that with the Verizon franchise agreements already in place, those benchmarks will be met and because of that, Verizon had made a decision several years ago that they would not be entering into any new negotiations with any other municipalities, because the agreements that were in place were going to get Verizon to the benchmarks that had been announced. It will take Verizon several more years to build FIOS in areas where they already have agreements established. He stated that Verizon has limited double play (voice and data) service in the Town. Verizon is aware that the Town is interested in FIOS and will contact the Town if and when it can be made available.

Council member McCollum requested investment numbers for Loudoun County specifically, and Mr. Brammer stated he would see if that number could be made available to the Town. Council member Lehr mentioned hearing that the installation of FIOS in Loudoun County is not going well so far. Mr. Brammer stated that all benchmarks that are in the agreement with the County have been met or exceeded. The County has expressed interest in FIOS in new areas that are not part of the current agreement. Mr. Brammer discussed the density requirements and how they are negotiated in agreements. In the western part of the County, density requirements are not met and therefore service is not currently provided.

Council member Jimmerson stated that questions about FIOS are the most frequently asked questions to Council from residents. She stated that Purcellville is not as attractive to new businesses because we do not have a choice in broadband service.

Sally Hankins asked for clarification on the agreement with the County. Mr. Brammer clarified that all obligations have been met and there is no new agreement being negotiated. Rob Lohr clarified with Mr. Brammer that the only incorporated Town in the County with a franchise agreement is Leesburg, which was negotiated years ago and the build out has been completed. There are no agreements or plans at this point to extend FIOS to Hamilton, Purcellville, Round Hill, Middleburg or Lovettsville.

CITIZEN COMMENTS:

Chris Braganza of 37809 Wright Farm Drive came forward to speak, and understands that Council plans to approve the minutes from the Town Council Meeting held on Sept. 9. He noted that there was only person that spoke in favor of the Tilly proposal, Julie Schloss, the owner of St. Francis LLC, and of the two parcels of land at the northwest corner of Route 7 and 287. These parcels are part of the 50 acre parcel on which Mr. Tilley proposed the Purcellville Crossroads presentation at the Sept. 9 Town Council Meeting. He stated that Ms. Schloss has a

vested interest in speaking for the proposal. He asked that the Sept. 9 minutes reflect the Wright Farm community is also in communication with Ms. Janet Clarke, our Loudoun Board of Supervisors representative, with respect to the Purcellville Crossroads Proposals. He stated that one of the residents has received an email from Ms. Clarke and she has indicated that she represents the people that voted her in and that Mr. Bill Tilley and his associates must discuss the proposal with residents in the Town, around the Town, the Wright Farm community before it can be brought up to the Board of Supervisors. Ms. Clark will not respond to any proposal from Mr. Tilley and his associates.

Mayor Fraser asked Sally Hankins if the minutes from the Sept. 9 Town Council Meeting can be changed to reflect Mr. Braganza's comments. Sally stated that the minutes have to reflect what was said in the meeting, and this information could not be added to the previous meeting minutes.

Jeanne Czarnetzky of 16663 MacNaughton Court came forward to also request that the Sept. 9 Town Council Meeting minutes reflect that Ms. Schloss is the owner of the property. She stated that she was extremely disappointed when she discovered this fact on her own. Ms. Czarnetzky stated her frustration that Ms. Schloss did not disclose this at the time she made her comments.

Kelli Grim of 812 Devonshire Circle asked that Town Council review their policy on how they handle what can be included in meeting minutes when appropriate time is not provided to state all comments. Ms. Grim asked about the agenda item relating to the contribution/donation of funds towards the roundabout. She stated that there is a lot of information missing and since it is new business hopes that the Board had no knowledge of it. Ms. Grim stated that in reviewing VDOT records, VDOT is recommending a turn lane be installed which would cost more than the \$50,000.00. She stated that the Board of Hirst Farm should be included in conversations going forward about this item.

Ms. Grim stated her interest in serving on the Planning Commission. She presented letters of recommendation and asked that Council review those. Ms. Grim stated that in the July meeting agenda it did not provide the letters, resumes and applications of all of the applicants that were interviewed nor was the last package. She noted that in the past residents always had the resumes, letters of interest and information of every resident that was applying to be on any committee since they are an extension of the Town.

Matthew Parse of 37738 Wright Farm Drive stated that he has multiple degrees in Geography/Urban Planning. He wanted to address the protection of essential business district. He stated that if you put a development outside of the Town business district, you will see that cities have died because of suburbs. He urged Council to go around Town and look at all of the commercial vacancies – he noted it is approximately 35% vacancy of commercial properties. Mr. Parse stated that the Bush Tabernacle would be negatively impacted as well as Coach's Corner and Magnolia's if Tilly's complex gets built. The \$260,000.00 in tax revenue is coming from existing businesses that are here today.

Leslie Thurman of 16731 Michelson Drive noted that a lot of the businesses that are small businesses came to Purcellville to build their business and are likely to go out of business for a larger entertainment group.

Ms. Thurman also talked about the Town Christmas Tree and stated that she has no problem with having a Town Christmas tree but would like for there to be a menorah or representation for the Jewish community as well.

MAYOR AND COUNCIL COMMENTS:

Council member Packard stated that he received an email of concern about the input of anything coming into Town, and that this is not among Council's strategic planning goals. He stated that part of the hope for the comprehensive plan review will be to discuss this. Currently there is no jurisdiction because it is not in Town. Council member Packard noted that in previous planning training that he has attended an idea would be to tie in the Town's Planning Commission with County's Planning Commission to have dialogue. If the County does not support something, it would not happen in the Town. Council member Packard stated that Council is aware of other communities around the outside of Town, including Wright Farm.

Council member Packard noted that the strategic planning session demonstrated that the goals that the Town Council has as individual members are fairly aligned.

Council member McCollum thanked Council for a productive strategic planning session, and thanked Rob Lohr and staff for their presentations and logistical support. Council member McCollum stated that he felt he reached his goal of strengthening relationships with Town Council, which will enable Council and staff to reach consensus.

Council member Jimmerson stated she is impressed with Town staff and grateful for the experience of the strategic planning session.

She stated that in regards to the Wright Farm discussion and the disclosure for the person that spoke, she is still working on figuring out all of the people in the development world around Town and did not know the speakers relationship to the complex or would have spoken up.

Council member Jimmerson states that she feels the Town does have a say with what goes on outside of the Town, and told residents that Town Council is doing their due diligence on this project.

Council member McConville thanked everyone for attending and for their emails. Council member McConville stated that the strategic planning session was very information and looks forward to bringing ideas to life over the next few years.

Council member Lehr stated that anyone that would like to receive notifications of any of the Press Releases should go onto the Town website and click on subscribe to notices. Council member Lehr stated that you can also find meeting agendas on the website.

Council member Lehr noted that that way before a decision gets made, you will see a lot of processes and that the resident's conversations have taken the developer to a different level. She stated that the developer will likely be back in touch with the residents to figure out what would be best in that area.

Council member Lehr thanked Lt. Jim Rust for his service to the community as he gets ready to retire.

Mayor Fraser stated that the strategic planning session was very productive and that the right team is in place to do great things for Purcellville. Mayor Fraser stated Council put their strategic objectives into four key areas: Community and Economic Well Being, Practice Good Governance (focus on the Town's mission and purpose), Strengthen Community Partnership (positive and interactive relationship with Town citizens and our neighbors) and Fiscal Discipline.

FINANCE:

a) Citizen/Business Appeals

i) None Scheduled

b) Old Business

i) None Scheduled

c) New Business

i) None Scheduled

PERSONNEL:

a) Old Business

i) None Scheduled

b) New Business

i) Personnel Update

Rob Lohr referred Town Council to the staff report which provided information on the vacancies in Town. Mr. Lohr stated that if the Town hires a full time HR employee, that would be the only HR position to be filled. The Planning Associate position has been filled.

ii) Formal Appointment of Town Clerk

Council Member McCollum asked that in the past if the Clerk had training and certification. Rob Lohr confirmed, and stated that Diana Hays would also be given that opportunity.

Council member Packard made a motion that Town Council appoint Diana Hays to serve in the formal capacity and role of Town Clerk. This position is hired by and reports to the Town Manager or their designee.

Motion:	Council member Packard
Second:	Council member Lehr
Carried:	6-0-1 Absent

Lehr -	Aye
McConville -	Aye
Jimmerson -	Aye
McCollum -	Aye
Packard -	Aye
Nave -	Absent
Mayor -	Aye

COMMUNITY DEVELOPMENT AND LAND USE:

a) Economic Development

i) None Scheduled

b) Monthly Report

i) Council member McCollum asked for clarification on economic basis analysis, which Patrick Sullivan stated he would provide.

Council member Lehr asked about the 35% vacancy rate and asked if we are maintaining vacancy records. Council member Lehr asked Patrick Sullivan to

research the cost associated with maintaining vacancy records and to report back at a future meeting.

Council member Packard asked for an update on Chik Fil A. Patrick stated it is moving forward however a site plan and elevations have not yet been provided. The property is in the process of being subdivided.

- c) Land Use
 - i) None Scheduled
- d) Old Business
 - i) None Scheduled
- e) New Business
 - i) None Scheduled

LEGAL AND POLICY:

- a) Old Business
 - i) None Scheduled
- b) New Business
 - i) Aligning Meeting schedule with Holidays

Rob Lohr stated that three upcoming meetings fall within busy holiday periods or on a holiday. Past policy has been that if a meeting falls on a holiday, it is moved to the following day or week.

Rob Lohr asked Sally Hankins to research the resolution that was originally adopted that sets forth the guidelines of what is done when a meeting falls on a holiday. Sally confirmed that a legal change was incorporated with the past policy so that items were aligned. The recommendation to move the November meeting does not require Council action but because it is a big change, Mr. Lohr stated that staff would always bring this item back to Council to ensure that there is a quorum for the evening of the new meeting date.

Council member Lehr made a motion to align the meeting schedule with the following holidays for 2014:

- 1) Move the regular meeting for November from Tuesday, November 11 to Wednesday, November 12 and
- 2) Continue to hold the regular November worksession meeting on Tuesday, November 25 during the Thanksgiving holiday week and
- 3) Cancel the December worksession scheduled for Tuesday, December 23 during the Christmas holiday week.

Staff was further directed to update the official meeting calendars to reflect these changes.

Motion:	Council member Lehr
Second:	Council member Packard
Carried:	6-0-1 Absent

Lehr -	Aye
McConville -	Aye
Jimmerson -	Aye
McCollum -	Aye
Packard -	Aye
Nave -	Absent
Mayor -	Aye

ii) Discussion on Legislative Agenda for Upcoming General Assembly Session

Rob Lohr stated that this item was discussed at the strategic planning session last weekend and is an opportunity each year for Council and the Board of Supervisors in the state to look at legislative policies and how we want to handle any potential changes. Council member Packard noted that the BAR no longer reviews signage but it is one of their designated duties and asked if that item needs removed. Patrick Sullivan noted that item is in the design guidelines but should not be in the zoning ordinance or in the charter. Council member McCollum asked if our local delegation, including our Senators, share with our Mayor or staff the different bills that they are proposing. Rob Lohr stated that through the Town Association of Northern Virginia they try to get all of the delegates and state Senators for the Towns to share that information as well as a meeting with Leesburg and the County.

iii) Operational Policies for Town Council

Council member Packard stated that residents are emailing to all Town Council and is not sure if Rob and the Town Clerk are receiving resident emails and asked if they should be. Council member Packard suggested having one person respond to the resident email letting the person know the email has been received.

Council member Lehr stated that "All Council" used to include the Town Clerk and it should still but does not. Council member Lehr noted that in the past everyone who had received emails has the right to respond and that it may not be appropriate to limit the response coming from just one person due to differences in opinion in some cases. She noted that the Town Clerk should be included on responses to citizens.

Council member McCollum raised a concern as to who should speak on behalf of the Town as it speaks to the Town's position.

Rob Lohr stated that he would like to work with the Town Attorney, Assistant Town Manager and Town Clerk to come up with some general guidelines. Mr. Lohr stated that emails that come to the Town Manager and Town Clerk are responded to upon receipt and forwarded to the appropriate person for a response. If the email is received by a Council member, the Council member should respond and reply to all Council so that Council can see the questions being submitted and know that someone has responded.

Council member Packard asked about disclosing contact with residents, developers or any outside interest and the procedure for responding. Council member McCollum stated that he would like to have a record of when a developer contacts us. Mr. Lohr stated he would contact the County and Leesburg for their policies, if in writing.

Council member Packard discussed the option of taking a break/recess in meetings. Rob Lohr noted that it is not uncommon for Council to take a summer break as this benefits both staff and Council. As it stands now, agendas are being developed every week.

Council member Lehr made a motion to declare the month of August a sabbatical for Town Council, Committees, Commissions and Boards.

Motion:	Council member Lehr
Second:	Council member Packard
Carried:	6-0-1 Absent

Lehr -	Aye
McConville -	Aye
Jimmerson -	Aye
McCollum -	Aye
Packard -	Aye
Nave -	Absent
Mayor -	Aye

Council member Packard asked how Council should respond to questions that are emailed to Council in regards to items presented at previous Town Council meetings. If resident proposals are presented before Council, he recommended getting feedback from at least two Council members before taking it to the Mayor for agenda consideration. Council member Lehr stated that she was in favor of getting feedback from two Council members, and stated that the Mayor sets the agenda and anything that comes before Council should go to the Mayor with a recommendation for his final decision on whether or not that item gets added to agenda. No additional comments were made.

PUBLIC SAFETY:

- a) Old Business
 - i) None Scheduled
- b) New Business
 - i) None Scheduled
- c) Police Department Staff Report

Council member McCollum thanked the Chief and Lt. Rust for the monthly report however does not find it very helpful. Council member McCollum stated that in order to consider requests for future additional funding, he would like to receive more information and specifically a breakdown of all other offenses. Council member McCollum suggested adding in the number of arrests reported, how many were reported to the Loudoun County Sheriff for further investigation and how many are prosecuted.

Lt. Rust reminded everyone of Drug Take Back Day on Saturday from 10:00 a.m. to 2:00 p.m.

TRANSPORTATION/INFRASTRUCTURE:

a) Old Business

i) None

b) New Business

i) Contribution/Donation of Funds Toward Roundabout at A Street and S. 32nd Street

Alex Vanegas stated that a representative from the developer for the property situated on the west side of 32nd Street across from Hirst Farm had approached the Town and offered a contribution of \$50,000.00 towards the design of the proposed roundabout at the intersection of A Street and S. 32nd Street. The project is in the County, and the Town has limited say on what can be done with it. Alex stated that the developer of Hirst Farm was supposed to build the roundabout. The Town has the right of way to do it however does not have the funding. Through VDOT, the Town has a bond in the amount of \$235,000.00 that can be pursued. Staff determined it would cost approximately \$1,000,000.00 to build the roundabout. With the \$50,000.00 contribution from the developer and the \$235,000.00 that is being held in bond by VDOT, this could be applied toward the cost of the roundabout. There are also additional sources through NVTA of approximately \$421,000.00 bringing the total funding to approximately \$706,236.00. Another additional resource is VDOT revenue sharing funding for the remainder of the amount needed. There would be no out of pocket expense to the Town for this project. Staff would also like to point out that we do not have to commit the \$50,000.00 to the roundabout project, and can request that the funding be provided for any project in the area. In return, the developer is asking that they do this project in lieu of conducting a traffic impact statement. VDOT has suggested that they may need to install a turn lane for the 28 homes, depending on what the traffic impact statement says.

Council member Packard stated that if the development goes in, it may or may not need a turn lane which would be dependent on the traffic study. The \$50,000.00 buys off the risk for the developer. As disclosure for the rest of Council, the intersection called for turn lanes off of A Street heading north and a turn lane on 690 heading north on A Street. Alex confirmed that the Town is working towards the roundabout potentially rather than turn lanes. If the developer does not conduct a traffic impact statement, they are not compelled to make a turn lane if the Town accepts the \$50,000.00 contribution.

Rob Lohr stated that traffic experts have said that a turn lane into a 28-unit development is not needed. If one is added, it would not benefit any other

projects needed in Town and has minimal positive impact to the community. If they are required to install the turn lane and the Town installs the roundabout, the Town will pay to remove the turn lane, assuming Council decides to move forward. Alex stated that a turn lane could cost from \$20,000 to \$60,000.

Sally Hankins asked if there is a timing or deadline mechanism that we need to be aware of. Alex Vanegas stated that a timeline was not given however they would like to know before the Town has them do the traffic impact statement. Rob Lohr stated that all other work has been complete. Alex stated that staff would also need direction on whether or not to have the bond applied toward the project.

Mayor Fraser asked if the roundabout was proposed because the owner of Hirst Farm Phase 1 saw Phase 2 going in. Rob Lohr clarified that the project was approved with a standard intersection with stop signs and turn lanes both off 20th Street and off of 690. The Council decided at that time to put a traffic circle at A Street and 287 and a traffic circle at Maple/Village Case. This would be a series of four traffic circles with no stop signs along the A Street SCR. Town Council and the Planning Commission approved this, then the developer posted the \$235,000.00 bond and did not put in the turn lane that they were supposed to along 690.

Sally Hankins asked for additional review time before a decision is made. Alex Vanegas recommended that the motion be changed to reference transportation improvements at the A Street and S. 32nd Street intersection to allow more flexibility should the Town decide to go with turn lanes, traffic signal(s) or a roundabout. Rob and Alex confirmed that VDOT has approved the roundabout however if the roundabout is built, the design would be determined at that time.

Council member McCollum confirmed that the Town may not receive the full bond amount from VDOT and asked if the NVTA funding would be affected by the cut backs in funding across the board including transportation. Alex confirmed that the NVTA funding is administered by the NVTA and would not be effected, however the VDOT revenue sharing funding could be effected.

Council member Packard confirmed that should Council choose to go with the turn lanes, the funding could be lower. Alex confirmed that staff is looking for the opportunity to start the process to get the funding available then can determine how to move forward.

Council member Packard made a motion that the Town Council, pending Town Attorney final approval by September 30, 2014, accept the proposed \$50,000.00 contribution from the developer (Sal Cangiano) for the development on parcel id

#524-20-4252-0000 in lieu of a traffic study and possible turn lane along S. 32nd Street.

Motion: Council member Packard
Second: Council member Lehr

After further discussion, Council member Packard withdrew his motion and Council member Lehr withdrew her second.

Council member Packard made a new motion that Town Council, pending Town Attorney final approval by September 30, 2014, accept the proposed \$50,000.00 contribution from the developer (Sal Cangiano) for traffic improvements to benefit S. 32nd Street.

Motion: Council member Packard
Second: Council member McConville
Carried: 5-0-2

McCollum -	Aye
Packard -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Absent
Lehr -	Aye
Mayor -	Abstain

Council member Packard made a motion that Town Council give staff permission to work with VDOT to obtain the bonded funds in order to apply them toward transportation improvements at the A Street/S. 32nds Street intersection.

Motion: Council member Packard
Second: Council member Lehr
Carried: 6-0-1

McCollum -	Aye
Packard -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Absent
Lehr -	Aye
Mayor -	Aye

Council member Packard made a motion that if the Town Attorney determines that the \$50,000.00 contribution cannot be used for improvements to benefit S. 32nd Street but can be accepted, that the Town Council accepts the contribution into its General Fund.

Motion: Council member Packard
Second: Council member Lehr
Carried: 4-2-1

McCollum -	Aye
Packard -	Aye
McConville -	Aye
Jimmerson -	Nay
Nave -	Absent
Lehr -	Aye
Mayor -	Nay

**The 3rd motion was discussed after the Public Works Staff Report was discussed.*

UTILITY:

- a) Old Business
 - i) None Scheduled
- b) New Business
 - i) Award Contract for Emergency Generator Work at Main Street Well Building

Alex Vanegas stated that the Town currently has emergency back-up power supply at all wells and pump stations with the exception of the Main Street filter complex. During an outage, that knocks out approximately 250,000 gallons of water that the Town can access, which is a potential bottle neck for the Town's water supply. Staff issued an Invitation for Bid on August 15, 2014 and opened the bids on September 12, the bids were opened. The two responsible bidders were Beckstrom Electric and M.C. Dean. Beckstrom was the lowest bidder. Staff checked references and noted that Beckstrom has been used for other Town projects, and recommended that Beckstrom be awarded the contract.

Rob Lohr noted that Beckstrom is a local business and recalled that during the blizzard several years ago, Beckstrom responded and was a huge help.

Council member Lehr made a motion that Town Council approve the award of contract for construction services for the Town of Purcellville's Emergency Generator System for the Main Street Wells to Beckstrom Electric in an amount not to exceed \$210,870.00.

Motion: Council member Lehr
Second: Council member McConville
Carried: 6-0-1

McCollum -	Aye
Packard -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Absent
Lehr -	Aye
Mayor -	Aye

c) Public Works Staff Report

Council member Lehr requested a 12-month spreadsheet once per quarter that shows ups and downs. Alex noted that something similar is posted on the website however it can be included as part of the staff report in the future.

Mayor Fraser asked how the Town is rated compared to other municipalities. Alex stated that he can add that annually to show how the Town compares, but since we are a small municipality, flows will not be the same as Loudoun Water, Fairfax Water, etc.

GENERAL TOWN COUNCIL ACTION OR DISCUSSION:

a) Location and Installation for New Town Christmas Tree

Council members Jimmerson and Lehr stated that they prefer that the tree remain at the Tear Drop. Rob Lohr stated the various reasons as to why Town would like to move to a new location to include the Millennium Oak tree and the American Legion flag. He is unaware of any accidents in that area because of the tree.

Council member Lehr made a motion that the Town obtain a tree from Tree Movers at their expense and plant it at Town Hall to become the annual Christmas Tree, and on an annual basis, purchase a live tree not to exceed \$200 to plant and decorate at the Tear Drop that can then be planted at one of the Town's facilities or donated to a resident after the holiday.

Motion: Council member Lehr
Second: Council member McConville
Carried: 5-1-1

McCollum -	Aye
Packard -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Absent
Lehr -	Aye
Mayor -	Nay

MOTION TO GO INTO CLOSED SESSION

Council member Packard made a motion that pursuant to Section § 2.2-3711(A)(1) of the Code of Virginia of 1950, as amended, the Purcellville Town Council will recess the regular meeting/worksession and convene a closed meeting. The purpose of the closed meeting is for discussion and consideration of candidates that have interviewed for appointment to Town Committees, Commissions and Boards.

The following individuals are requested to attend the portion of the closed meeting where candidates are being discussed:

- 1) All Town Council

AND

Further move that pursuant to Section § 2.2-3711(A)(7) of the Code of Virginia, as amended, the Purcellville Town Council go into closed session to consult with legal counsel regarding actual litigation between the Town of Purcellville and Howell Samuel Brown, Jr. regarding the condemnation of 7.1724 acres of land for construction of the Southern Collector Road, because such consultation in an open meeting would adversely affect the negotiating or litigating posture of the public body.

The following individuals are requested to attend the portion of the closed meeting during which litigation against Mr. Brown is discussed:

- 1) All Town Council
- 2) Robert W. Lohr, Jr., Town Manager
- 3) Patrick Childs, Assistant Town Manager
- 4) Sally Hankins, Town Attorney
- 5) Alex Vanegas, Director of Public Works
- 6) Jeffrey Huber, Attorney

Mayor
Kwasi A. Fraser

Council
Joan Lehr
John A. Nave
Patrick McConville II
Karen Jimmerson
Benjamin J. Packard
Douglass J. McCollum



Town Manager
Robert W. Lohr, Jr.

Assistant Town Manager
J. Patrick Childs

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**TOWN OF PURCELLVILLE
TOWN COUNCIL**

RESOLUTION NO. 14-09-03

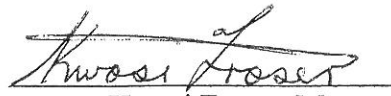
**PRESENTED: September 23, 2014
ADOPTED: September 23, 2014**

**A RESOLUTION: CERTIFYING THE CLOSED SESSION ON
SEPTEMBER 23, 2014**

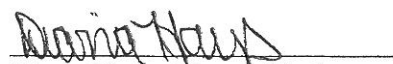
WHEREAS, the Purcellville Town Council of the Town of Purcellville, Virginia, has this day convened a closed session in accordance with an affirmative-recorded vote of the Purcellville Town Council and in accordance with the provisions of the Virginia Freedom of Information Act.

NOW, THEREFORE, BE IT RESOLVED that the Purcellville Town Council does hereby certify that to the best of each member's knowledge, 1) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the closed session to which this certification applies; and 2) only such public business matters as were identified in the Motion by which the said closed session was convened were heard, discussed or considered by the Purcellville Town Council.

PASSED THIS 23rd DAY OF SEPTEMBER 2014.


Kwasi Fraser, Mayor
Town of Purcellville

ATTEST:


Diana Hays, Town Clerk

Motion: Council member Packard
Second: Council member Lehr
Carried: 6-0-1

McCollum -	Aye
Packard -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Absent
Lehr -	Aye
Mayor -	Aye

MOTION TO COME OUT OF CLOSED SESSION:

Council member McCollum made a motion that the closed meeting be adjourned and that the Purcellville Town Council reconvene in a public meeting and that the minutes of the public meeting reflect that no formal action was taken in closed session.

Motion: Council member McCollum
Second: Council member Lehr
Carried: 6-0-1

McCollum -	Aye
Packard -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Absent
Lehr -	Aye
Mayor -	Aye

Council member Lehr made a motion that the Purcellville Town Council adopt Resolution 14-09-03 certifying the closed meeting of September 23, 2014.

Motion: Council member Lehr
Second: Council member McCollum
Carried: 6-0-1

McCollum -	Aye
Packard -	Aye
McConville -	Aye
Jimmerson -	Aye
Nave -	Absent
Lehr -	Aye
Mayor -	Aye

MINUTES:

- a) Town Council Regular Meeting – September 9, 2014
- b) Town Council Regular Meeting/Committee of the Whole Worksession –
August 26, 2014

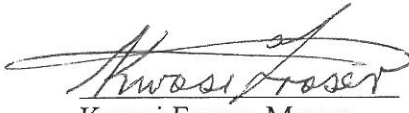
Council member Lehr made a motion to approve all sets of minutes as submitted wave reading.


Council member McCollum made one correction on page 12 under a)2) replace “when” with “amend”.

Motion: Council member Lehr
Second: Council member Packard
Carried: 6-0-1 with Nave absent

ADJOURNMENT:

There being no further business, on a motion by Council member Lehr, seconded by Council member Packard, the meeting adjourned at 11:04 PM.


Kwasi Fraser, Mayor


Diana Hays, Clerk of Council